

Message Text

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SUBJECT: LAWS GOVERNING FIREARMS IMPORTATION

REF: STATE 177789

1. IN REPLY TO REF REQUEST THE FOLLOWING INFORMATION IS PROVIDED, KEYED TO TWO GENERAL AREAS OF REF INQUIRY. WITHIN THE REPUBLIC OF KOREA THE IMPORT AND EXPORT OF FIREARMS AND MUNITIONS AS WELL AS THE DOMESTIC OPERATION OF SUCH ITEMS ARE CONTROLLED BY THE "LAW CONCERNING CONTROL OF FIREARMS AND EXPLOSIVES", LAW NO. 835, PROMULGATED DECEMBER 13, 1961.

2. IMPORT REGULATIONS: ARTICLE 10 OF LAW NO. 835 ABOVE REQUIRES THAT INDIVIDUAL DESIRING TO IMPORT OR EXPORT FIREARMS OBTAIN PERMISSION FROM MINISTRY OF HOME AFFAIRS ON CASE-BY-CASE BASIS IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY ROK CABINET DECREE. ARTICLE 7 OF SAME LAW REQUIRES APPLICANT SUBMIT FOR APPROVAL AND APPLICATION (FORM NO 4) TO RESPONSIBLE ELEMENT OF SAME ROK MINISTRY, THE PUBLIC SAFETY SECTION, PUBLIC SAFETY DIVISION, NATIONAL POLICE HEADQUARTERS, MINISTRY OF HOME AFFAIRS. FORM REQUIRES EXTENSIVE DATA ON PURPOSE, METHOD, SOURCE, AND END OWNER OF IMPORTED FIREARM. ADDITIONALLY, UNDER ARTICLE 13, A "CERTIFICATE OF PERMISSION OR LICENSE - FORM NO. 9" IS REQUIRED FOR THE IMPORTATION OF ANY FIREARM.

3. ABOVE REGULATIONS ARE EMPLOYED BY NATIONAL POLICE TO ENFORCE
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NEAR TOTAL BAN ON PRIVATE OR COMMERCIAL (FOR PRIVATE SALE)

IMPORTATION OF FIREARMS AND MUNITIONS. NATIONAL POLICE OFFICER HAS INFORMED EMBASSY THAT HE CANNOT RECALL SINGLE INSTANCE IN WHICH IMPORTATION APPROVAL WAS ISSUED TO COMMERCIAL CONSIGNEE. EXAMPLE OF EXCEPTION TO ABOVE GENERAL IMPORT BAN IS APPROVAL RECENTLY EXTENDED (VIA APPROVED FORMS 4 AND 13) TO GOVERNMENT-ASSOCIATED KOREA SHOOTING FEDERATION.

4. DOMESTIC CONTROLS ON FIREARMS: REPUBLIC OF KOREA LAW AND CABINET DECREES STRICTLY CONTROL THE MANUFACTURE, SALE, POSSESSION AND USE OF ALL FIREARMS AND EXPLOSIVES TO EXTENT THAT VIRTUALLY NO HANDGUNS OR HIGH POWERED RIFLES ARE IN PRIVATE HANDS. POSSESSION OF SPORTING FIREARMS (SHOTGUND ONLY) IS CLOSELY MONITORED AND CONTROLLED BY LOCAL POLICE OFFICIALS. THREE YEAR BAN ON HUNTING IN ROK WAS RECENTLY EXTENDED FOR THREE ADDITIONAL YEARS AND FURTHER ALLOWS NATIONAL POLICE TO PHYSICALLY CONTROL OWNER'S ACCESS TO FIREARMS (I.E. LOCAL POLICE STATIONS PHYSICALLY POSSESS FIREARMS AND ALLOW OWNER'S ACCESS ONLY UPON PROOF OF PURPOSE). DEGREE OF CONTROL IN EFFECT IS INDICATED BY RECENT ANNOUNCEMENT REQUIRING OWNERS OF AIR RIFLES TO TURN IN FOR SAFE KEEPING SUCH "FIREARMS" TO LOCAL POLICE STATIONS. EXCEPTIONS TO THIS GENERAL RULE INCLUDE POSSESSION BY GOVERNMENT-CLEARED SHOOTING CLUBS AND INDIVIDUALS, AGAIN, UNDER VERY TIGHT MONITORING AND PHYSICAL SECURITY REQUIREMENTS. EXTENSIVE LEGAL DOCUMENTATION AND POLICE PERMITS ARE REQUIRED FOR THOSE ORGANIZATIONS AND INDIVIDUALS IN POSSESSION OF FIREARMS AND ALL TRANSACTIONS INVOLVING FIREARMS ARE SUBJECT TO GOVERNMENT APPROVAL. NO WHOLESALE OR RETAIL GUN DEALERS EXIST SAVE CERTAIN TRADING FIRMS WHICH IMPORT SELECTIVELY FOR GOVERNMENT SECURITY REQUIREMENTS.
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